

back to the Senate with the recommendation that it do pass.

BUCHANAN of Bell,  
Chairman.

Committee Room,  
Austin, Texas, March 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 364, A bill to be entitled "An Act to amend Article 2601, Revised Civil Statutes of Texas, Acts 1913 Special Session, regulating the bond and compensation of County Judges,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

PARR, Chairman.

Committee Room,  
Austin, Texas, March 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 367, A bill to be entitled "An Act to fix a uniform date on which county and precinct officers shall qualify and take over the duties of their respective office following their election, and to repeal all laws in conflict therewith, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

PARR, Chairman.

### THIRTY-EIGHTH DAY.

Senate Chamber,  
Austin, Texas,  
March 6, 1919.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Buchanan of Scurry.
Bailey.	Caldwell.
Bell.	Carlock.
Buchanan of Bell.	Clark.

Cousins.  
Dayton.  
Dean.  
Dorough.  
Dudley.  
Faust.  
Floyd.  
Gibson.  
Hall.  
Hertzberg.  
Hopkins.

Johnston.  
McNealus.  
Page.  
Parr.  
Smith.  
Strickland.  
Suiter.  
Westbrook.  
Witt.  
Woods.

Absent.

Williford.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator McNealus.

### Petitions and Memorials.

See Appendix.

### Standing Committee Reports.

See Appendix.

### Bills and Resolutions

By Senators Carlock and Dean:

S. B. No. 380. A bill to be entitled "An Act conferring upon the Court of Criminal Appeals and the Clerk of said Court in original cases filed in said court all of the powers conferred by the laws of this State upon the District Courts and the clerks thereof in the issuance of subpoenas for the attendance of witnesses and all other process; providing that said process shall be served by any officer authorized to serve process in this State; providing that witnesses summoned before the Court of Criminal Appeals shall receive the same fees and mileage as are paid in criminal cases in the district court; providing that the sheriffs and constables shall receive the same fees as for like service in the district court and making an appropriation to pay witness fees and costs and declaring an emergency."

Read first time and referring to Committee on Civil Jurisprudence.

By Senator Hertzberg:

S. B. No. 381, A bill to be entitled "An Act to permit the Artesian Belt Railroad and the receiver thereof

to take up and remove its railroad construction, heretofore made, from a connection with the Galveston, Harrisburg & San Antonio Railway Company, in the town of Macdona to the town of Kirk, a distance of approximately three and one-tenth miles, in a southeasterly direction all in Bexar County; and to sell and dispose of same and abandon the same; and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Smith:

S. B. No. 382, A bill to be entitled "An Act transferring the County of Panola from the Ninth Supreme Judicial District of Texas to the Sixth Supreme Judicial District of Texas for all lawful purposes; repealing all laws in conflict therewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Hall:

S. B. No. 383, A bill to be entitled "An Act creating and establishing the Mont Belvieu Independent School District in Chambers County, Texas, defining its boundaries, etc., and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Hall:

S. B. No. 384, A bill to be entitled "An Act to amend Section 1, Chapter 19, Local and Special Laws passed by the Thirty-fifth Legislature at its first called session, being 'An Act creating the Cedar Bayou Independent School District in the counties of Harris and Chambers, State of Texas; defining its boundaries, etc., and declaring an emergency.'

Read first time and referred to Committee on Educational Affairs.

By Senator Dean:

S. B. No. 385, A bill to be entitled "An Act authorizing gas, oil, other mineral and metal leases and sale of gas, other minerals and metals by executors or administrators under order of the County Court entered on the minutes of the Probate Court either in term time or in vacation; providing for notice of the application for such order; requiring report by executors or administrators of such leases and sales and providing

for the manner of approval or disapproval thereof by the County Court in term time or in vacation; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Floyd:

S. B. No. 386, A bill to be entitled "An Act establishing and designating Frances Willard Day in the public schools of the State, and requiring instruction and appropriate exercises upon said day relative to the history and benefits of the prohibition of the manufacture and sale of Intoxicating Liquors, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Suiter:

S. B. No. 387, A bill to be entitled "An Act to amend Article 616 of the Revised Civil Statutes of the State of Texas, 1911, providing for the enforced levy, assessment and collection of taxes for interest and sinking funds for indebtedness incurred by counties, cities and towns; providing penalty for failure of assessor to assess property for taxation for such purposes, and of the collector to collect such taxes; providing penalty for failure of any county, city or town treasurer, or city or county depository, or the officers thereof, as the case may be, to remit funds to place of payment named in said obligations, when notified; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senators Hopkins and Suiter:

S. B. No. 388, A bill to be entitled "An Act to amend Sections 2, 3, 4, 5, and 8 of Chapter 83 of the Acts of the Regular Session of the Thirty-fifth Legislature, of the State of Texas, so as to provide the manner in which mineral lands shall be advertised and leased, fixing royalties and compensation for the use of the surface repealing all laws in conflict and declaring an emergency."

Read first and referred to the Committee on Mining, Drainage and Irrigation.

By Senator Alderdice:

S. B. No. 389, A bill to be entitled "An Act to amend Article 4350, Chapter 2, Title 65, Revised Civil

Statutes of the State of Texas, 1911, relating to pay warrants."

Read first time and referred to Committee on Civil Jurisprudence.

#### Simple Resolution No. 85.

(Courtesy Resolution)

Whereas, the Hon. H. D. McDonald a former distinguished member of this body is now in the city.

Therefore be it resolved, that he be extended the privileges of the floor and invited to address the Senate.

GIBSON.

The resolution was read and adopted, and Ex-Senator McDonald was presented to the Senate and made a brief address.

#### Message from the House.

Hall of the House of Representatives,  
Austin, Texas, March 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 205, A bill to be entitled "An Act to amend Articles 1142, 1144, 1148 and 1149 of the Code of Criminal Procedure, 1911, by providing that counties shall hereafter furnish and pay all necessary expense for the safekeeping, support and maintenance of prisoners confined in jail or under guard upon proper bill being presented therefor, incurred in the manner now provided by law for the purchase of supplies by counties, and providing for the filing of a report of all prisoners confined by the sheriff and supervision of the feeding of prisoners by the commissioners court, and repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 551, A bill to be entitled "An Act creating and incorporating the Canadian Independent School District, in Hemphill county, and defining the boundaries thereof; providing for a board of trustees, and the election therefor, and defining their qualification, powers and authority, and defining their limitations, and providing for filling

vacancies in said board; authorizing the board of trustees to levy, assess and collect taxes, and to call elections for and issue and dispose of bonds of such district for the purpose of purchasing school sites, and erecting, repairing, furnishing and equipping school buildings on the same, and to pay the current expenses in the maintenance and support of the public free schools therein; defining the manner of calling and conducting such bond elections, and the qualifications of voters at such elections; providing for a secretary, treasurer, tax assessor and collector and other officers and committees, and defining their duties and providing for their compensation; providing the manner of assessing taxes; providing for a board of equalization and defining its powers and duties, and defining a basis for equalization; vesting all property of Common School District No. 1 in Canadian Independent School District, shall be liable for all debts and claims now existing against said Common School District No. 1; providing for the management and control of the public free schools in said independent school district; providing that in all matters not covered by this Act said board of trustees shall be governed by the general laws applicable to independent school districts; repealing all laws in conflict, and providing for an emergency."

House has concurred in Senate Amendments to H. B. 269.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred, after their captions had been read, the following House bills:

H. B. No. 205, referred to the Committee on Counties and County Boundaries.

H. B. No. 551, referred to the Committee on Educational Affairs.

#### Senate Concurrent Resolution No. 31.

Whereas, there was delivered to the Honorable H. B. Terrell, Comp-

troller of the State of Texas, by his predecessor in office, the Honorable W. P. Lane, a trust fund amounting to the sum of Four Hundred Ninety-one and 35-100 (\$491.35) Dollars, which has not been claimed and which has been for years on deposit in an Austin bank; and

Whereas, the said H. B. Terrell, Comptroller, is desirous of depositing the said fund with the State Treasurer, if he should be directed to do so by the Legislature.

Therefore, be it resolved by the Senate of the Thirty-sixth Legislature, the House of Representatives concurring, that the said H. B. Terrell, Comptroller, be, and he is hereby authorized and directed to deposit the said trust fund with the Treasurer of this State to the credit of the general revenue.

DEAN.

The resolution was read and adopted.

#### House Bill No. 157.

The Chair laid before the Senate as a special order on second reading:

H. B. No. 157, "An Act defining pipe and gas lines engaged or to engage in the transportation, sale or distribution of natural or artificial gas, etc., as public utilities, and declaring an emergency."

Senator Floyd moved to reconsider the vote by which the minority (favorable) committee report was adopted on yesterday.

As a substitute Senator Gibson moved to lay the bill on the table subject to call.

The motion prevailed.

#### House Bill No. 3.—Conference Committee Report.

Austin, Texas, Feb. 20, 1919.

Hon. W. A. Johnson, President of the Senate.

Hon. R. E. Thomason, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee appointed on House Bill No. 3, beg leave to report that we have met and adjusted the differences between the House and Senate and recommend to the House and the Senate the following:

We recommend that the House

should concur in Senate Amendments Nos. 3, 4, and 4a, and that the Senate should recede from Senate Amendments Nos. 1, 2, and 5.

Respectfully submitted,

DAYTON.

ALDERDICE.

STRICKLAND.

CALDWELL.

BAILEY.

On the part of the Senate.

ROSSER.

MILLER of Dallas.

PEDIGO.

BARNES.

CANALES.

On the part of the House.

The report was read and adopted.

#### Senate Bill No. 357—Recommitted.

By unanimous consent and on motion of Senator Hopkins, S. B. No. 357 was withdrawn from the Committee on Town and City Corporations and was referred to the Committee on Public Lands and Land Office.

#### House Bill No. 7.

The Chair laid before the Senate on third reading:

H. B. No. 7, A bill to be entitled "An Act to amend Article 2942, of Chapter 4, Title 49, of the Revised Civil Statutes of Texas of 1911, by adding thereto authority to the holder of a certificate of honorable discharge from the military service of the United States to vote thereon without the payment of poll tax, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Parr, was passed finally.

#### House Bill No. 177.

The Chair laid before the Senate on third reading:

H. B. No. 177, A bill to be entitled "An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to amend Article 3837 of the Revised Civil Statutes of Texas, 1911,' so as to provide that the filing fees of corporations payable to the Secretary of State under the provisions of Chapter 85 of the Acts of

the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to amend Article 3837, Chapter 1, Title 58, of the Revised Civil Statutes of the State of Texas, 1911,' shall be based upon the authorized capital stock of domestic corporations and upon the amount of capital stock actually subscribed by foreign corporations, and that such filing fees shall not exceed the sum of twenty-five hundred dollars, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Dudley, was passed finally.

#### House Bill No. 278.

The Chair laid before the Senate on third reading:

H. B. No. 278, A bill to be entitled "An Act to provide for the recording of official discharges of soldiers, sailors and other persons in the service of the United States in the war with Germany and Austria-Hungary; authorizing the Commissioners' Court to expend county funds to provide necessary books for said purpose; making it the duty of the County Clerk of each county to make such record; directing the payment to the County Clerk out of county funds of a fee for said services, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Strickland, was passed finally.

#### House Bill No. 107.

The Chair laid before the Senate on third reading:

H. B. No. 107, A bill to be entitled "An Act to amend Section 3, Chapter 60, of the General Laws of the Regular Session of the Thirty-fifth Legislature of the State of Texas, so as to confer power upon the Commissioners' Courts to disinfect any district, county or subdivision of a county for the purpose of eradication of fever-carrying ticks and other contagious and infectious or communicable diseases of live stock, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Dudley, was passed finally.

#### House Bill No. 181.

The Chair laid before the Senate on third reading:

H. B. No. 181, A bill to be entitled "An Act amending Section 6 of Chapter 73, Acts of the Thirty-fifth Legislature, Fourth Called Session, approved April 3, 1919, and providing the compensation to be paid Tax Collectors for collection of license and transfer fees on automobiles and motor vehicles, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Carlock, was passed finally.

#### House Bill No. 180.

The Chair laid before the Senate on third reading:

H. B. No. 180, A bill to be entitled "An Act to amend Chapter 153 of the Acts of the Regular Session of the Thirty-third Legislature, so as to provide that all corporations that are required by law to pay an annual franchise tax to make a report to the Secretary of State between the first day of January and the fifteenth day of March, and prescribing what such report shall contain; providing the date such report shall be made by certain foreign corporations; prescribing penalty for failure to make such report; providing that such report shall be subject to inspection only by persons who are interested directly in the subject matter of such report, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed finally.

#### House Bill No. 294.

The Chair laid before the Senate on third reading:

H. B. No. 294, A bill to be entitled "An Act amending Section 1 of the Local and Special Laws of the Regular Session of the Thirty-fifth Legislature, Chapter 22, page 86, creating the Georgetown Independent School District, by adding thereto territory adjoining same situated in Williamson county for school purposes, and defining its boundaries, and declaring an emergency."

The bill was laid before the Sen-

ate, read third time and, on motion of Senator Clark, was passed finally.

#### House Bill No. 152.

The Chair laid before the Senate on third reading:

H. B. No. 152, A bill to be entitled "An Act to amend Article 7235, of the Revised Civil Statutes of the State of Texas, of 1911, by inserting the word 'Harris' among the counties and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Johnston, was passed finally.

#### House Bill No. 476.

The Chair laid before the Senate on third reading:

H. B. No. 476, A bill to be entitled "An Act to amend Sections 2, 5, 8, 10, 16 and 17, of the special road law for Baylor county, passed by the Regular Session of the Thirty-third Legislature, approved April 1, 1913, to provide for the compensation of county commissioners when acting as road commissioners, to limit the days per month each commissioner can receive pay as road commissioner to provide for the compensation for hands and teams for road work in said county, to provide for the time of the reports of road overseers and for their compensation for the excess of days over five days they may serve in any one year, to exempt any citizen from road duty for any year upon his payment to the county of three and 50-100 (\$3.50) dollars, and to provide that the county clerk attach to road overseers' commissions a list of names of those who have paid the \$3.50, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Bell, was passed by the following vote:

Yeas—27.

Alderdice.	Cousins.
Bailey.	Dayton.
Bell.	Dean.
Buchanan of Bell.	Dorough.
Buchanan of Scurry.	Dudley.
Carlock.	Faust.
Clark.	Gibson.

Hall.  
Hertzberg.  
Hopkins.  
Johnston.  
McNealus.  
Page.  
Parr.

Smith.  
Strickland.  
Suiter.  
Westbrook.  
Witt.  
Woods.

Absent.

Caldwell.

Floyd.

Absent—Excused.

Williford.

#### House Bill No. 519.

The Chair laid before the Senate on third reading:

H. B. No. 519, A bill to be entitled "An Act to amend Sections 4 and 7 of Chapter 95 of Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature of the State of Texas relating to the issuance of road improvement bonds by Navarro county or any political subdivision thereof, and declaring an emergency."

The bill was laid before the Senate read third time and, on motion of Senator Woods, was passed finally.

#### House Bill No. 179.

The Chair laid before the Senate on third reading:

H. B. No. 179, A bill to be entitled "An Act to amend Article 7393, Chapter 3, Title 126 of the Revised Civil Statutes of Texas, 1911, prescribing the amount of franchise taxes to be paid by domestic corporations, providing that where a domestic corporation has a permit or permits to do business outside of the State, the franchise tax shall be computed upon that portion of the the authorized capital stock, plus the surplus and undivided profits, if any, of such corporation, as the total gross receipts of such corporation from its business done in Texas, bears to the total gross receipts of the corporation from all sources, and declaring an emergency."

Senator Hopkins offered the following amendment which was read and adopted:

Amend House Bill No. 179, page 2, by striking out in lines 19 and 20 the following: "has a permit or per-

mits to do," and insert in lieu thereof the following: "does".

The bill was laid before the Senate, read third time and, on motion of Senator Dean was passed finally.

#### House Bill No. 178.

The Chair laid before the Senate on third reading:

H. B. No. 178, A bill to be entitled "An Act to amend Chapter 84 of the Acts of the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to amend Article 7394 of the Revised Civil Statutes of Texas, 1911,' so as to provide that the franchise tax on foreign corporations, therein levied, shall be based upon that portion of the total capital stock, plus the surplus and undivided profits, if any, of such corporation, as the gross receipts of such corporation from its Texas business bears to its gross receipts, and providing a minimum franchise tax to be paid by foreign corporations, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed finally.

#### House Joint Resolution No. 13.

The Chair laid before the Senate on third reading:

H. J. R. No 13, Proposing to amend Section 49 of Article 3 of the Constitution of the State of Texas relating to the power to create debts by or on behalf of the State, so as hereafter to authorize the Legislature to enact a law directing the issuance of bonds by the Governor of the State in a sum not to exceed seventy-five million (\$75,000,000) dollars, the proceeds of said bonds to be used in the construction of durable, hard surfaced roads upon public highways of the State.

The Resolution was laid before the Senate, read third time and, on motion of Senator McNealus, was passed by the following vote:

Yeas—25.

Alderdice.	Carlock.
Bell.	Clark.
Buchanan of Bell.	Cousins.
Buchanan of Scurry.	Dayton.
Caldwell.	Dean.

Dorough.	McNealus.
Dudley.	Parr.
Faust.	Smith.
Floyd.	Strickland.
Gibson.	Suiter.
Hall.	Westbrook.
Hertzberg.	Witt.
Johnston.	

Nays—2.

Balley.	Page.
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Present—Not Voting.

Woods.

Absent.

Hopkins.	Williford.
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#### House Bill No. 485.

The Chair laid before the Senate on third reading:

H. B. No. 485, A bill to be entitled "An Act to validate the charter and incorporation of the city of Eagle Pass, adopted by the qualified voters of said city since the enactment of Chapter 147 of the Acts of the Regular Session of the Thirty-third Legislature, and filed in the office of the Secretary of State, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Dudley, was passed by the following vote:

Yeas—28.

Alderdice.	Gibson.
Balley.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.

Absent.

Caldwell.	Williford.
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#### House Bill No. 239.

The Chair laid before the Senate on third reading:

H. B. No. 239, A bill to be entitled "An Act to permit defendants, in cases where requisitions have been issued for them by the Governor and where they appeal their cases to the Court of Criminal Appeals, to give bond the same as defendants in other felony cases, and declaring an emergency."

On motion of Senator Page, the bill was postponed indefinitely.

#### House Bill No. 150.

The Chair laid before the Senate on third reading:

H. B. No. 150, A bill to be entitled "An Act to amend Section 1 of Chapter 88, Acts of the Regular Session of the Thirty-third Legislature of 1913, of the State of Texas, changing the maximum penalty prescribed therein from two hundred and fifty (\$250.00) dollars to two hundred (\$200.00) dollars, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator McNealus, was passed by the following vote:

#### Yeas—26.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.

#### Absent.

Carlock.	Strickland.
Dorough.	Williford.

#### House Bill No. 359.

The Chair laid before the Senate on third reading:

H. B. No. 359, A bill to be entitled "An Act creating the McCollum Independent School District in Falls County, Texas; defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools with-

in said district; vesting said district with the rights, powers, privileges and duties of an independent school district in the manner now provided for by general law for independent school districts, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Clark, was passed by the following vote:

#### Yeas—26.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

#### Absent.

Dorough.	Strickland.
Johnston.	

#### Absent—Excused.

Williford.

#### House Bill No. 539.

The Chair laid before the Senate on third reading:

H. B. No. 539, A bill to be entitled "An Act enlarging the Albany Independent School District in Shackelford County, Texas; defining its boundaries as enlarged, and providing for the election of a board of trustees to manage and control the public free schools within said district, provided that none of the land and territory added by this Act to said Albany Independent School District shall be subjected to the payment of any portion of the local maintenance tax now levied, assessed and collected in said district, except in so far as the same may be hereafter voted by the people of said enlarged district, as provided by the General Laws of this State, naming the fiscal year as to taxes, investing said district with all the powers, rights and duties of independent school districts formed for free



school purposes only, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

Absent.

Smith.

Absent—Excused.

Williford.

#### House Bill No. 540.

The Chair laid before the Senate on third reading:

H. B. No. 540, A bill to be entitled "An Act creating and incorporating Ringgold Independent School District in Montague County, Texas, out of the territory now composing Common School District No. 43 of said county; providing that the title to the school property be vested in such independent school district and that it assume the debt of said common school district; providing for a board of trustees for said district; defining their powers and duties; providing for a treasurer of the school funds and defining his duties; defining the boundaries of said district, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Hopkins, was passed by the following vote:

Yeas—26.

Alderdice.	Carlock.
Bailey.	Clark.
Bell.	Cousins.
Buchanan of Bell.	Dayton.
Buchanan of Scurry.	Dean.
Caldwell.	Dudley.

Faust.  
Gibson.  
Hall.  
Hopkins.  
Johnston.  
McNealus.  
Page.

Parr.  
Smith.  
Strickland.  
Suiter.  
Westbrook.  
Witt.  
Woods.

Absent.

Dorough.  
Floyd.

Hertzberg.

Absent—Excused.

Williford.

#### House Bill No. 531.

The Chair laid before the Senate on third reading:

H. B. No. 531, A bill to be entitled "An Act to create a more efficient road system for Limestone county, Texas, adopting certain provisions of Chapter 2, Title 18, Revised Civil Statutes of 1911, as amended and added to by Chapter 203, Acts of 1917, and Chapter 18, General Laws, Fourth Called Session, Thirty-fifth Legislature, except as herein otherwise provided, and prescribing ways and means of conducting and supervising the construction of roads in said county or any political subdivision or defined district thereof; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Clark, was passed by the following vote:

Yeas—29.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent—Excused.

Williford.

**House Bill No. 564.**

The Chair laid before the Senate on third reading:

H. B. No. 564, A bill to be entitled "An Act to amend Chapter 14 of the General and Special Laws of the State of Texas, passed at the Third Called Session, of the Thirty-fifth Legislature, entitled 'An Act to create a more efficient road system for Trinity county, Texas, and auxiliary thereto; to provide for the appointment of road overseers; to define the powers and jurisdiction of the Commissioners Courts of said county with regard thereto; to create the authority of the county road superintendents and to define its duties; and to provide adequate penalties for the violation of the provisions of this Act; repealing Chapter 146, passed by the Thirty-fifth Legislature in Regular Session creating a special road law for Trinity county, and declaring an emergency,' being an Act requiring the road overseers of Trinity county to deposit all moneys collected by them from road hands in the county treasury, and providing a means for paying out the same, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed by the following vote:

**Yeas—28.**

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Sulter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

**Absent.**

Parr.

**Absent—Excused.**

Williford.

**House Bill No. 565.**

The Chair laid before the Senate on third reading:

H. B. No. 565, A bill to be entitled "An Act creating the Woodville Independent School District, in Tyler county, Texas; defining its boundaries; providing for a board of trustees in said independent school district, conferring upon said district and its board of trustees the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees thereof; providing for the election of trustees, for the raising of revenues, issuing of bonds, building and maintaining schoolhouses, maintaining public free schools, declaring valid the local maintenance tax heretofore voted and now in effect in the territory included in the school district hereby created, repealing all laws in so far as they conflict herewith, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Cousins, was passed by the following vote:

**Yeas—28.**

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Sulter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

**Absent.**

Parr.

**Absent—Excused.**

Williford.

**House Bill No. 498.**

The Chair laid before the Senate on third reading:

H. B. No. 498, A bill to be entitled "An Act creating the Tatum Independent School District, in Rusk and Panola counties, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said dis-

trict; and the title of all property now held and used for public school purposes; investing powers, privileges and duties of a town or village incorporated for the school purposes only, under the General Laws; creating the trustees of said independent school district as a board of equalization thereof and conferring upon them the powers, etc., given by the General Laws, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Smith, was passed by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

Absent.

Parr. Williford.

#### House Bill No. 537.

The Chair laid before the Senate on third reading:

H. B. No. 537, A bill to be entitled "An Act to repeal Chapter 105 of the Local and Special Laws of the Thirty-first Legislature, creating a special road system for Falls County, Texas, approved March 29, 1911, and to create a more efficient road system for Falls County, Texas, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Witt, was passed finally.

#### House Bill No. 561.

The Chair laid before the Senate on third reading:

H. B. No. 561, A bill to be entitled "An Act to repeal Chapter 115 of the Special Laws of the State of Texas,

passed by the Thirty-third Legislature, approved March 31st, 1913, so far as the same applies to Zavalla County; and providing that the general road law of the State of Texas shall be in effect in Zavalla County, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Parr, was passed finally.

#### House Bill No. 545.

The Chair laid before the Senate on third reading:

H. B. No. 545, A bill to be entitled "An Act creating the Santa Anna Independent School District in Coleman County, Texas; Defining its boundaries, including the present Santa Anna Independent School District; providing for a board of trustees in said district, conferring upon said district and its board of trustees all of the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof, providing that the present board of trustees continue in office until the expiration of their respective terms, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry was passed finally.

#### House Bill No. 550.

The Chair laid before the Senate on third reading:

H. B. No. 550, A bill to be entitled "An Act to create Common School District No. 20, in Borden County, Texas, out of territory heretofore included within the boundaries of Common School District No. 1 of said county, and providing that the territory and property within said Common School District No. 20 shall continue to be subject to taxation for the payment of the principal, interest and sinking funds of any and all bonds issues heretofore issued by said Common School District No. 1 and still unpaid; and conferring upon the county board of trustees of Borden County the same powers of control over said Common School District No. 20 as they have

under law over other common school districts of like class in said county."

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed finally.

#### House Bill No. 546.

The Chair laid before the Senate on third reading:

H. B. No. 546, A bill to be entitled "An Act creating and incorporating the Union Independent School District in Terry County, Texas, and defining the boundaries thereof; providing for a board of trustees and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds therefor; providing for an Assessor and Collector of Texas thereof, and providing for a board of equalization of said school district; providing for an election of trustees thereof, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Buchanan of Scurry, was passed finally.

#### House Bill No. 566.

The Chair laid before the Senate on third reading:

H. B. No. 566, A bill to be entitled "An Act changing the boundaries of Slaton Independent School District and Common School District No. 14, in Lubbock County, Texas; transferring to Slaton Independent School District a portion of the territory now embraced in Common School District No. 14; describing Slaton Independent School District in Lubbock and Lynn Counties, Texas, by metes and bounds; providing that Slaton Independent School District No. 14, in Lubbock County, Texas, which it is entitled to assume in taking over the additional lands, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Bell, was passed finally.

#### House Bill No. 329.

The Chair laid before the Senate on second reading:

H. B. No. 329, A bill to be entitled "An Act to prevent the introduction into the State of Texas of the destructive cotton pest, *Pectinophera Gossypiella Saund.*, hereinafter referred to as the pink boll worm, and to control and eradicate such insect pest in the event its presence in this State is discovered, creating a zone along the boundary between the State of Texas and the Republic of Mexico, providing for the inspection of fields of cotton and for the inspection and general control of cotton and cotton products produced in such zone; providing for the quarantine of any territory in such zone whenever the pink boll worm in any of its stages shall be discovered within such zone or adjacent thereto in the Republic of Mexico; providing for the quarantine and control of any territory within the State in which the pink boll worm may be found, and for the eradication of the pest, and for compensation for cotton or fields that may be destroyed under the provisions of this Act; vesting the Commissioner of Agriculture with authority to administer the Act; authorizing the Governor to issue certain proclamations, and making it the duty of the Commissioner of Agriculture to promulgate rules and effectuate the provisions of the Act, and declaring an emergency."

The bill was read second time, and passed to its third reading.

On motion of Senator Bell the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 329 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.

Absent.

Caldwell.

Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Bell, was passed by the following vote:

Yeas—26.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Faust.	Witt.
Floyd.	Woods.

Nays—2.

Dudley. Hopkins.

Absent.

Caldwell. Williford.

Morning call concluded.

#### Senate Bill No. 316.

The Chair laid before the Senate as special order on second reading:

S. B. No. 316, A bill to be entitled "An Act to provide for the consolidation of two or more insurance companies doing the same line of business, where one or all of them have been previously organized under the laws of this State; to regulate the manner of such consolidation, and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator McNealus, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 316 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Cousins.
Bell.	Dayton.
Buchanan of Bell.	Dean.
Buchanan of Scurry.	Dorough.
Caldwell.	Dudley.
Carlock.	Faust.
Clark.	Floyd.

Gibson.	Parr.
Hall.	Smith.
Hertzberg.	Strickland.
Hopkins.	Suiter.
Johnston.	Westbrook.
McNealus.	Witt.
Page.	Woods.

Present—Not Voting.

Bailey.

Absent.

Williford.

The bill was laid before the Senate, read third time and, on motion of Senator McNealus, was passed by the following vote:

Yeas—28.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

Absent.

Floyd.

Williford.

#### Senate Bill No. 365.

The Chair laid before the Senate on second reading:

S. B. No. 365, A bill to be entitled "An Act to amend Article 6901d, Chapter 1, Title 119, Revised Statutes of Texas, fixing the compensation of county commissioners in counties having a population of 30,000 and over so as to include counties having a population of 29,000 and over and declaring an emergency."

The committee report carrying a substitute was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Strickland, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 365 put on its third reading and final passage by the following vote:

## Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Euchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

## Absent.

Page. Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Strickland, was passed by the following vote:

## Yeas—27.

Alderdice.	Gibson.
Bailey.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

## Absent.

Bell. Williford.  
Page.

## Recess.

At 12:30 o'clock p. m., the Senate, on motion of Senator Clark, recessed until 2:30 o'clock today.

## After Recess.

## (Afternoon Session.)

The Senate was called to order by Lieutenant Governor Johnson.

## Senate Bill No. 269.

The Chair laid before the Senate on second reading:

S. B. No. 269, A bill to be entitled

"An Act to amend House Bill No. 402 of the Acts of the Regular Session of the 34th Legislature of the State of Texas, entitled 'An Act to compel attendance upon public schools of Texas by children between the ages of 8 and 14 years, providing that the term said children shall be required to attend for the scholastic year beginning September 1st, 1916, shall be 60 days, and the term for this scholastic year, beginning September 1st, 1917, shall be 80 days, and the term beginning September 1st, 1918, and each subsequent year thereafter shall be 100 days, etc., and declaring an emergency.'"

Senator Witt offered the following amendment:

Amend S. B. No. 269 by adding Section 3 and renumbering the Sections as follows:

Section 3. Provided said Act shall be effective on and after Sept. 1st 1920.

Senator Gibson offered the following:

Amend the amendment to S. B. No. 269 by striking 1920 and substituting in lieu thereof 1919.

The amendment to the amendment was adopted.

The amendment as amended was then adopted.

Senator Hertzberg offered the following which was read and adopted:

(2) Amend S. B. No. 269 by adding after line 3, Section 2a, the following:

Provided however, that nothing in this Act shall be so constituted as to interfere with any religious doctrines that may be taught in said parochial schools.

The following by Senator McNealus was read and adopted:

Amend S. B. 269, page 1, line 10, by striking out the word "fourteen" and inserting the word "fifteen;" also making similar change in line 23, page 1.

The bill was read second time and passed to engrossment.

On motion of Senator Gibson, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 269 put on its third reading and final passage by the following vote:

## Yeas—25.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Clark.	Parf.
Cousins.	Smith.
Dayton.	Suiter.
Dean.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

## Absent.

Caldwell.	Williford.
Dorough.	Strickland.
Johnston.	

The bill was laid before the Senate, read third time and, on motion of Senator Gibson, was passed finally.

## Messages From the House.

Hall of the House of Representatives.  
Austin, Texas, March 5, 1919.  
Lieutenant-Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 50, A bill to be entitled "An Act to amend Article 3842, of the Revised Civil Statutes of 1911, relating to fees chargeable by the General Land Office of Texas, and declaring an emergency."

S. B. No. 62, A bill to be entitled "An Act to amend Article 1428 and to repeal Article 1429, Title 17, Chapter 18, of the Penal Code of Texas, relating to obtaining board and lodging under false pretenses or obtaining any property or thing of value or the making, uttering or delivery of any check, draft or order in payment of any obligation to defraud; to fix the punishment; to prescribe a rule of evidence or prosecution; to make the law cumulative, and to declare an emergency."

With amendments.

S. B. No. 69, A bill to be entitled "An Act making an appropriation for cleaning the State Library and arranging material, and declaring an emergency."

With amendments.

S. B. No. 78, A bill to be entitled "An Act to amend Article 1306 of

Chapter 24, Title 25, of the Revised Civil Statutes of Texas of 1911, so as to remove the limitations of the right of common carrier pipe lines organized under said chapter and title to condemn only for pipe lines not exceeding eight inches in diameter and to grant to every person, firm, corporation, limited partnership, joint stock association or association of any kind whatever owning, operating or managing any pipe line or any part of any pipe line within the State of Texas for the transportation of crude petroleum that is declared to be a common carrier by and is subject to the provisions of Chapter 30 of the General Laws passed by the Thirty-fifth Legislature, approved on February 20, 1917, the right and power of eminent domain in the exercise of which he, it or they may enter upon and condemn the lands, rights of way, easements and property of any person or corporation necessary for the construction, maintenance or operation of his, its or their common carrier pipe lines, the manner and method of such condemnation and the assessment and payment of the damages therefor to be the same as provided by law in the case of railroads; and to grant such other rights as are conferred by said Article 1306 as amended hereby upon corporations organized under said Chapter 24; and declaring an emergency."

With amendments.

S. B. No. 87, A bill to be entitled "An Act to amend Sections 1, 2, 3 and 4 of an Act to provide for the printing, publication and sale of the reports of the decisions of the Supreme Court, Court of Criminal Appeals and the Courts of Civil Appeals of the State of Texas, Chapter 30 of the Acts of the Thirty-third Legislature, approved March 20, 1913, and also amend Article 1572 of Chapter 12, and to repeal Article 1651 of Chapter 13 of the Revised Civil Statutes, A. D. 1911, concerning said reports, with a repealing clause, and declaring an emergency."

With amendments.

S. B. No. 98, A bill to be entitled "An Act to amend Article 4859, Title 71, Chapter 7, relating to reports of local insurance associations, of the Revised Civil Statutes, 1911, of the State of Texas."

S. B. No. 82, A bill to be entitled "An Act for the formation of corporations to contract for, erect or construct improvements or structures and acquire, sell or prepare materials used therein."

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,

Austin, Texas, March 5, 1919.

Lieutenant Governor W. A. Johnson,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House Requests the return of H. B. No. 562 and H. B. No. 508; and has

Concurred in Senate amendments to H. B. No. 179; and has

Adopted the report of Conference Committee on H. B. No. 3; and

Requests the Senate to return H. J. R. No. 7 for correction.

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives.

#### Senate Bill No. 87—House Amendments Concurred In.

Senator Bailey called up for consideration of House amendments to

S. B. No. 87, A bill to be entitled "An Act to amend Sections 1, 2, 3 and 4 of an Act to provide for the printing, publication and sale of the reports of the decisions of the Supreme Court, Court of Criminal Appeals and the Courts of Civil Appeals of the State of Texas, Chapter 30 of the Acts of the Thirty-third Legislature, approved March 20, 1913, and also to amend Article 1572 of Chapter 12, and to repeal Article 1561 of Chapter 13 of the Revised Civil Statutes, A. D. 1911, concerning said reports, with a repealing clause, and declaring an emergency."

The following House amendments were read:

Amend Senate Bill No. 87, page 1, Section 1 by inserting after the word "State" where it appears in line 1 of said section, the following, "or such other board or State agency as may be created by law in place of said Board of Public Printing."

Amend Senate Bill No. 87, page 1, Section 1, by inserting after the word "board" where it appears in lines 8, 9 and 11 of said section and

page 2, Section 2, after the word "board" where it appears in lines 1 and 11 of said section, and page 2, Section 3, after the word "board" where it appears in line 12 of said section, the following, "or such other board of State agency."

Amend Senate Bill No. 87, page 2, Section 2, by inserting after the word "printing" where it occurs in line 9 of said section, the following, for such other boards of State agency."

On motion of Senator Bailey, the Senate concurred in the amendments.

#### Senate Bill No. 243.

The Chair laid before the Senate on second reading:

S. B. No. 243, A bill to be entitled "An Act to repeal Chapter Six (6), Title Sixty-five (65), of the Revised Civil Statutes of Texas of 1911, the said chapter and title providing for the election of a Commissioner of Agriculture, prescribing his qualifications, duties and location and term of his office; providing that all duties, functions and services required by said chapter and title to be performed and rendered by the Commissioner of Agriculture shall from and after the taking effect of this Act be rendered and performed so far as may be practical and necessary by the Agricultural and Mechanical College of Texas, and that this Act take effect and be in force from and after January 1, 1921."

The bill was read second time, and passed to engrossment by the following vote:

#### Yeas—14.

Alderdice.	Hall.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Clark.	McNealus.
Cousins.	Smith.
Dorough.	Westbrook.
Dudley.	Witt.

#### Nays—11.

Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Carlock.	Hertzberg.
Dayton.	Parr.
Dean.	Sulter.
Faust.	



## Absent.

Caldwell. Williford.  
Strickland.

## (Pair Recorded.)

Senator Woods (present), who would vote nay; Senator Page (absent), who would vote aye.

Senator Clark moved that the constitutional rule requiring bills to be read on three several days be suspended and S. B. No. 243 put on its third reading and final passage.

The motion was lost by the following vote:

## Yeas—15.

Alderdice.	Faust.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hopkins.
Clark.	McNealus.
Cousins.	Parr.
Dean.	Smith.
Dudley.	

## Nays—8.

Buchanan of Scurry.	Hertzberg.
Dayton.	Strickland.
Derough.	Suiter.
Floyd.	Witt.

## Present—Not Voting.

Carlock.

## Absent.

Caldwell.	Westbrook.
Johnston.	Williford.

## (Pair Recorded.)

Senator Woods (present), who would vote nay; Senator Page (absent), who would vote aye.

Senate Concurrent Resolution No. 11.  
Conference Committee Elected.

Senator Dayton made the following motion in writing:

I move that the Senate refuse to concur in House amendments to S. C. R. No. 11, and ask for a conference committee, and I nominate McNealus, Carlock, Page, Bell and Buchanan of Scurry on the part of the Senate as conference members.

DAYTON.

The motion was read and adopted carrying the election of the conferees named.

44—Jour.

## Senate Bill No. 238.

Senator Buchanan of Bell called up and the Chair laid before the Senate on second reading:

S. B. No. 238, A bill to be entitled "An Act authorizing the Commissioner of the General Land Office to lease the lands owned by the State, under the control and management of the Board of Prison Commissioners known as the penitentiary lands, and the land under the control and management of the Board of the Institution for Training of Juveniles, located in Coryell County, Texas, to any person, firm or corporation desiring the right to prospect for and develop petroleum oil or natural gas thereon; providing that said leases may be executed under the terms and conditions and in the same manner as now provided by law for the leasing of public free school, university and asylum lands; and declaring an emergency."

Senator Hopkins offered the following amendments, which were read:

Amend S. B. No. 238 by striking out all after the enacting clause and inserting in lieu thereof the following:

Section 1. That Sections 1, 2, 3, 4, 5, and 8 of Chapter 83 of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas be and the same are amended so as to hereafter read as follows:

Section 1. All public school, University and Asylum land, all lands under the control of the State Prison Commission and the Institution for the training of juveniles and other public lands, fresh water lakes, river beds and channels, islands, bays, marshes, reefs and salt water lakes belonging to the State and all lands which may hereafter be so owned and all of said lands which have heretofore been sold or disposed of by the State or by its authority with a reservation of minerals or mineral rights therein as well as all lands which may hereafter be sold with the reservation of minerals or mineral rights therein, and lands purchased with a relinquishment of the minerals therein, shall be included within the provisions of this Act and shall be open to the prospecting for and the development of the minerals and substances known as gold, silver, cinnabar, lead, tin,

copper, zinc, platinum, radio-active minerals, tungsten, ores of aluminum, coal, lignite, iron ore, kaolin, fire clays, barite, marble, petroleum, natural gas, gypsum, nitrates, asbestos, marls, salt, onyx, turquois, mica, guano, bismuth, and bismuth bearing minerals, asphalt, potash compounds, sulphur, graphite, magnesia, fuller's earth and molybdenum and molybdenum bearing minerals upon the terms and conditions provided in this Act.

Section 2. The Commissioner of the General Land Office shall make a list of all surveys or tracts of land in which the State owns the mineral rights, giving therein a brief designation of the surveys or tracts and the unsurveyed tracts, the terms upon which a permit to develop for oil and gas may be obtained thereon and the date bids for such permits will be opened, and have such list printed and ready for free distribution at least thirty days prior to the time said bids will be received and opened as herein provided; which lists shall be added to from time to time by the addition thereto of such tracts of land as may become subject to lease under the provisions of this Act or that may come to the knowledge of the Commissioner of the General Land Office, provided that if any person shall locate any land not shown by the records in the General Land Office to be subject to the provisions of this Act, such person may make application to the Commissioner of the General Land Office to have such land surveyed, tendering a reasonable amount to cover the expenses of such survey, and such lands shall be surveyed and placed upon such lists and the person so locating such land shall have the preference right of leasing such land for the purposes of this Act at the highest price that may be offered therefor, which preference may be exercised at any time not later than ten days after such bids are opened and in the event a permit for the development of such land is issued and the amount of bonus bid therefor exceeds the amount of surveying fees deposited by such person the Commissioner of the General Land Office shall refund to him the amount so deposited, but if the amount so bid for such permit does not exceed the amount of surveying fees deposited, such person shall not be entitled to any

refund. The cost of printing such lists shall be paid for out of the appropriation for public printing. The Commissioner of the General Land Office shall make the lists herein provided for by counties, and no person shall be entitled to the preference for locating land in any county until the list made by the Commissioner for such county has been completed.

Section 3. Any person, firm, or corporation being a citizen of the United States, who desires to obtain the right to prospect for and develop the minerals and substances named in this chapter may on or before the 15th day of January, April, July, and October of each year file with the Commissioner of the General Land Office, in an envelope marked "Bids to lease mineral lands," and showing the day such bids shall be opened, bids for the lease of any lands subject to lease under the provisions of this chapter and such persons shall specify the amount of bonus per acre bid for each tract of land, accompanying such bid with the amount thereof in money or an irrevocable check certified to by some solvent bank or trust company, or other form collectible on demand and convertible into money without discount or exchange and shall in addition to such bonus pay to the State the royalties as herein provided.

Section 4. At ten o'clock in the morning on the 15th day of each January, April, July, and October hereafter or in case such day comes on a legal holiday, on the first business day thereafter, the Commissioner of the General Land Office shall in his office, in the presence of such persons as desire to be present, open all bids that have been filed since the last day bids were opened as herein provided, for the lease of lands under the provisions of this chapter, and the person who has offered the highest amount of bonus, to be not less than ten cents per acre, for a lease for the development for minerals under the provisions of this chapter, shall be awarded a permit on the tract of land specified in this chapter carrying with it the exclusive right to prospect for and to develop for such minerals within the designated area for a term of not to exceed two years.

Section 5. All persons acquiring

a lease to develop for oil and natural gas on any land under the provisions of this chapter shall in addition to paying the bonus above provided for, pay to the Commissioner of the General Land Office, a royalty of not less than one-eighth of the gross production of the oil and gas produced upon such leased premises; and in case it is the opinion of the Commissioner of the General Land Office that any land should be leased for a greater royalty than that above specified, he may fix such reasonable royalty in excess of that here specified upon which such land shall be leased which shall be specified in said printed lists, and any bids for the lease thereof shall be based upon such increased royalty. No person, firm, or corporation shall be permitted to lease more than 2560 acres of contiguous land under the provisions of this chapter and not exceeding 10,240 acres altogether and no person shall be entitled to lease more than 200 acres in one tract within three miles of any producing well or any well then being drilled for oil or gas.

Section 8. In the event the surface of an area included within the operations of this Act has heretofore been or may hereafter be acquired by one prior to the filing of an application under the provisions herein such area shall nevertheless be subject to prospect and lease as provided herein but the owner of the permit or lease shall pay to the owner of the surface annually in advance during the life of the permit or lease twenty-five per cent out of the average amount for which such property has been rendered for taxes during the ten years preceding the date of such permit for the land actually used, and such sum shall be full compensation for all damages to the surface.

Section 2. That all laws or parts of laws in conflict here with are hereby repealed.

Section 3. The fact that the law in regard to the leasing of mineral lands is inadequate creates an emergency and an imperative public necessity calling for the suspension of the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended and this Act shall take

effect and be in force from and after its passage, and it is so enacted.

HOPKINS.  
SUITER.

Senator McNealus offered the following amendment to the amendment:

Amend the amendment to S. B. 238, by changing the minimum lease price of "ten cents per acre" wherever it occurs and substitute therefor a minimum price of "Twenty-five cents per acre."

Senator Dean offered the following substitute for the pending amendment thereto:

Amend the bill by striking out all of Section 1 and inserting in lieu thereof the following:

"Section 1. The Prison Commission of the State of Texas is hereby authorized and empowered to lease the lands belonging to the State and under the control and management of said Prison Commission to any person, firm or corporation or association of persons desiring to obtain the right to prospect for and develop petroleum, oil, natural gas and sulphur that may be in any of such lands; and the Prison Commission is also hereby authorized and empowered to prospect for, develop and operate any of the oil and gas in any of said lands, and to market the products arising from such operations; provided that the leases herein authorized shall be on the same terms and conditions and in the manner now provided by law authorizing the leasing of surveyed public free school lands and university or asylum lands by the Commissioner of the General Land Office of this State; with the further provision that the said Prison Commission shall not be restricted to the amount of royalty and cash annual payments now provided by law for the leasing of the free school lands, university and asylum lands; but the Prison Commission is hereby authorized, and it shall be its duty, to lease such lands to the highest and best bidder therefor, provided that no bid shall be for a smaller sum than is now authorized for the minerals in the public free school lands; provided further, that in leases of sulphur rights hereunder, the consideration therefor shall be not less than one dollar (\$1) per acre per annum, and five (5 per cent) per cent of the gross products of the sul-

phur; provided further, that no lease of any of said lands shall be made by the Prison Commission, nor shall any operations be begun or continued hereunder by the Prison Commission except with the written approval of the Governor; and provided further, that not exceeding \$25,000.00 may be expended by the Prison Commission for prospecting.

"Section 1a. The Commissioner of the General Land Office of the State of Texas is hereby authorized and empowered to lease the lands under the control of the Governing Board of the Institution for the Training of Juveniles, located in Coryell County, Texas, to any person, firm, corporation or association of persons desiring to obtain the right to prospect for and develop petroleum, oil and natural gas that may be in any of said lands; provided that said leases may be granted by the Commissioner of the General Land Office on the same terms and conditions and in the manner now provided by law authorizing the leasing of the surveyed free school lands, university or asylum lands; and provided further, that such leases shall contain stipulations which will afford protection against unreasonable damage to crops, cultivable lands and improvements on said lands."

Pending.

On motion of Senator Smith, the bill was laid on the table subject to call.

#### Senate Bill No. 353.

The Chair laid before the Senate on second reading:

S. B. No. 353, A bill to be entitled "An Act to establish and create a court to be known as 'Corporation Court in Port Arthur, Texas,' and to prescribe its organization, jurisdiction and procedure, and to conform the jurisdiction and procedure of other courts thereto, to repeal all laws in conflict herewith, and to declare an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Cousins the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 353 put on its third reading and final passage by the following vote:

#### Yeas—26.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Gibson.	Woods.

#### Absent.

Caldwell.	Floyd.
Dayton.	Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Cousins, was passed by the following vote:

#### Yeas—26.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Gibson.	Woods.

#### Absent.

Caldwell.	Floyd.
Dayton.	Williford.

#### Senate Bill No. 235.

The Chair laid before the Senate on second reading:

S. B. No. 235, A bill to be entitled "An Act to amend House Bill No. 128, passed by the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas, providing that teachers in the public free schools shall be required to conduct school work in the English language exclusively, preventing the adoption of texts for elementary grades not printed in English, defining the grades in which a foreign language may be taught, and fixing the penalties for the violation of provisions of

this Act, and further providing that the teaching of French and Spanish in the public free schools of the State of Texas, and granting authority to the trustees of said public free schools to prescribe the text books for the teaching of said languages."

On motion of Senator Dudley the majority (favorable) committee report was adopted.

Senator Suiter offered the following amendment, which was read:

Amend S. B. No. 235 by striking out all of Section 1 after the semi-colon in line 29, page 1, of said bill and change said semi-colon to a period.

Senator Dudley move to table the amendment, and this motion prevailed by the following vote:

Yeas—13.

Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Page.
Cousins.	Parr.
Dean.	Smith.
Dudley.	Witt.
Gibson.	

Nays—9.

Alderdice.	Hall.
Bailey.	Strickland.
Buchanan of Bell.	Suiter.
Dorough.	Westbrook.
Faust.	

Present—Not Voting.

Johnston.

Absent.

Caldwell.	McNealus.
Clark.	Williford.
Dayton.	Woods.
Floyd.	

Senator Hopkins offered the following amendment, which was read and adopted:

(1) Amend S. B. No. 235 by inserting immediately after the enacting clause the following "Section 1, That Sections 1, 2 and 3 of Chapter 80 of the Acts of the Fourth Called Session of the Thirty-fifth Legislature be amended so as to hereafter read as follows."

Senator Buchanan of Scurry offered the following amendment, which was read and adopted:

(2) Amend S. B. No. 235 as follows: Insert after the word "Texas" in line 32, page 1, "but such teach-

ing shall be done in the English language."

Senator Hopkins offered the following, which were read and adopted:

(3) Amend the caption to S. B. No. 235, line 7, by striking out "House Bill No. 128 passed by" and insert in lieu thereof the following, "Chapter 80 of the Acts of."

(4) Amend S. B. No. 235, line 27, page 1, by striking out the words "German" and "Bohemian."

Senator Alderdice offered the following amendment:

(5) Amend S. B. No. 235 by striking out all of line 19, page 1, of the printed bill, the same being the enacting clause.

The amendment was adopted.

### House Bill No. 440.

The Chair laid before the Senate on third reading:

H. B. No. 440, A bill to be entitled "An Act creating the Petersburg Independent School District, situated in Hale County, Texas; defining its metes and bounds; vesting it with rights, powers, duties and privileges of independent districts incorporated for school purposes only under the General Laws; providing for a board of trustees therefor; providing for a board of equalization, and prescribing the duties and authority of said board and of said trustees; declaring valid an issue of bonds heretofore voted; declaring valid all debts owing to and by said district, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Bell, was passed finally by the following vote:

Yeas—26.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

**Present—Not Voting.**

McNealus.

**Absent.**

Caldwell.

Williford.

Johnston.

**Message from the House.**

Hall of the House of Representatives,  
Austin, Texas, March 6, 1919.

Hon. W. A. Johnson, President of  
the Senate.

Sir: I am directed by the House  
to inform the Senate that the House  
has passed the following bills:

S. B. No. 124, A bill to be entitled  
"An Act to provide the method of  
selecting a special venire in counties  
other than those having the wheel  
system, for the selection of juries,  
by adding to Revised Code of Crimi-  
nal Procedure a new article to be  
known as Article 660a."

S. B. No. 224, A bill to be entitled  
"An Act for the relief of the heirs of  
Charles Broach and to validate a sur-  
vey of 320 acres of land in Franklin  
county, made by virtue of certificate  
granted to William Lane, and to au-  
thorize the Commissioner of the Land  
Office to issue patents thereto."

S. B. No. 103, A bill to be entitled  
"An Act for the purpose of promot-  
ing the public school interest of rural  
schools and those of small towns, of  
aiding the people and providing ade-  
quate school facilities for the educa-  
tion of their children by the appro-  
priation of two million dollars each  
year, or so much thereof as may be  
necessary, for the next two fiscal  
years ending August 31, 1920, and  
August 31, 1921, respectively, by  
allowing the State Board of Educa-  
tion to aid such schools, and provid-  
ing how such schools shall be located  
and school buildings constructed,  
furnished and maintained, and pro-  
viding certain prerequisites for the  
granting of such aid, and providing  
that no school having over five hun-  
dred scholastics, exclusive of trans-  
fers, shall receive such aid; and pro-  
viding that such schools receiving  
such aid shall have a certain per-  
centage of attendance, with excep-  
tions; and providing that certain of  
said schools so receiving aid shall  
add a local school tax of not less than  
fifty cents on the one hundred dollar

valuation, and giving the State Board  
of Education power to establish rules  
and regulations for the organization  
of such county schools and otherwise  
carrying out the purpose and inten-  
tions of this Act; and defining the  
powers of the State Board of Educa-  
tion in that connection, and provid-  
ing for assistants to the State Super-  
intendent to be known as 'rural  
school supervisors'; and providing for  
reports to be made to the State Board  
of Education; and providing for the  
manner of payment and disbursement  
of all money granted under the pro-  
visions of this Act; repealing all laws  
in conflict herewith, and declaring  
an emergency."

With amendments.

S. B. No. 227, A bill to be entitled  
"An Act to amend Chapter 181 of the  
General Laws of the Regular Session  
of the Thirty-fifth Legislature of the  
State of Texas (page 396 of said  
laws) relating to the regulation,  
growing and marketing of fruits and  
vegetables, by adding thereto Sec-  
tion 9a, exempting the onion grow-  
ers from the provisions of said Act;  
and declaring an emergency."

With amendment.

S. B. No. 293, A bill to be entitled  
"An Act to permit Texas South-  
eastern Railroad Company to take  
up and remove that portion of its  
railroad lying between Vair and  
Neff, and to sell and dispose of that  
portion of its right-of-way included  
between said two stations and to  
abandon same and declaring an  
emergency."

Respectfully submitted,

T. B. REESE,

Chief Clerk, House of Representatives

**Senate Bill No. 312.**

The Chair laid before the Senate  
on second reading:

S. B. No. 312, A bill to be entitled  
"An Act to amend Article 7490 and  
Article 7497 of the Revised Civil  
Statutes of the State of Texas, of  
1911, and Article 7491 of the Re-  
vised Civil Statutes of the State of  
Texas of 1911, as amended by Chap-  
ter 166 of the Acts of the Regular  
Session of the Thirty-fifth Legisla-  
ture so as to further provide for  
the collection of inheritance taxes,  
the making of reports concerning

estates subject to taxation, the fixing of penalties, prescribing duties and fixing compensation of District and County Attorneys and County Judges and declaring an emergency."

The committee report with amendments was adopted.

Senator Woods offered the following amendment:

Amend S. B. No. 312, strike out the figures "10" in line 8, page 2 and the word "two" line 9, page 2, and insert in lieu thereof the following words respectively "Two," and "one."

The amendment was lost.

Senator Woods offered the following amendment:

Amend S. B. No. 312, as follows: Strike out the figures "10," line 17, page 2, the figures "\$200.00" line 18 page 2, and the figures "\$2000.00" line 23, page 2 and substitute the following figures respectively, "5," "\$100.00" and "\$1000.00."

The amendment was lost.

Senator Dayton moved the previous question on the engrossment of the bill, which being duly seconded was ordered.

The bill was read second time and passed to engrossment.

On motion of Senator Hopkins, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 312 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Gibson.
Bailey.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Johnston.
Clark.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dudley.	Suiter.
Faust.	Westbrook.
Floyd.	Witt.

Nays—1.

Woods.

Present—Not Voting.

McNealus.

Absent.

Bell.

Dorough.

Caldwell.

Williford.

The bill was laid before the Senate, read third time and, on motion

of Senator Hopkins, was passed by the following vote:

Yeas—23.

Alderdice.	Gibson.
Bailey.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Johnston.
Clark.	Page.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	

Present—Not Voting.

McNealus.  
Parr.

Woods.

Absent.

Bell.  
Caldwell.

Dorough.  
Williford.

Senate Bill No. 242.

The Chair laid before the Senate on second reading:

S. B. No. 242, A bill to be entitled "An Act to protect the public health of the people of the State of Texas by prohibiting any persons, firm or corporation, owner, agent, employee, or person in charge of any public or private school, public building, hall, church, theatre, market, playground, park, store, hotel, office building, factory or manufacturing establishment from keeping, offering, exhibiting or displaying for use any common cup, glass or other receptacle, and from maintaining in or about any lavatory or wash room any towel for common use; defining the words 'common use' and fixing a penalty for violation of the Act; and declaring an emergency."

Senator Clark offered the following amendment which was read and adopted:

Amend S. B. No. 242, changing the period at the end of "person," to a semicolon in line 5, page 2, "and shall furnish a sanitary 'cup'."

The bill was read second time and failed to pass to engrossment.

**Senate Concurrent Resolution No. 15.**

Senator Dayton called up and the Chair laid before the Senate:

S. C. R. No. 15, providing for sine die adjournment of the 36th Legislature.

Senator Page offered the following amendment:

Amend S. C. R. No. 15 by striking out the words "March 14th" and insert in lieu thereof the words "March 21st."

The amendment was adopted.

The resolution as amended was then adopted by the following vote:

Yeas—18.

Bailey.	Hall.
Buchanan of Scurry.	Hertzberg.
Carlock.	Hopkins.
Clark.	Page.
Dean.	Parr.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Gibson.	Woods.

Nays—10.

Alderdice.	Floyd.
Bell.	Johnston.
Buchanan of Bell.	McNealus.
Cousins.	Smith.
Dayton.	Strickland.

Absent.

Caldwell.	Williford.
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**Senate Bill No. 227.—House Amendments.**

Senator Parr called up for consideration of House Amendments to:

S. B. No. 227, relating to the growing and shipping of onions.

The following House amendment was read:

Amend S. B. No. 227, by striking out the third paragraph in Section 5, and inserting in lieu thereof the following:

"Nothing in this Act shall be construed so as to prevent the railroad companies from accepting for shipment fruits and vegetables which have not been graded and packed under State inspection in car load lots or less, provided however, that noninspected vegetables or fruits shall not be shipped in straight car-load lots with inspected products.

On motion of Senator Parr the Senate concurred in the amendments.

**Bills Signed.**

The Chair, Lieutenant Governor Johnson, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 420, A bill to be entitled "An Act creating an independent school district to be known as 'Texhoma Independent School District,' and to provide for the creation of a board of trustees and authorizing the board of trustees to levy, assess and collect special taxes and to issue bonds for buildings and to pay current expenses for the maintenance and support of said school, and to have full control and management of said school district, and declaring an emergency."

H. B. No. 470, A bill to be entitled "An Act changing the boundaries of Chireno Independent School District of Nacogdoches County, Texas, as created by an Act of the Thirty-fifth Legislature at its Regular Session, published in the Local and Special Laws, Regular Session, Thirty-fifth Legislature of Texas, page 217, and providing that certain territory which before said Act was passed constituted Bethel Common School District in Nacogdoches County, Texas, shall be transferred to and remain a part of and constitute Bethel Common School District, and declaring an emergency."

H. B. No. 448, A bill to be entitled "An Act providing that the Commissioners' Court of Grimes County, Texas, shall not issue, without submitting it to a vote of the voters of Grimes County, Texas, as required by law, more than five thousand dollars in bonds in any one year and then only in case of an emergency, and providing that said Commissioners' Court shall not issue nor sell anticipation warrants at all, and repealing all laws in conflict with this Act."

H. B. No. 439, A bill to be entitled "An Act creating the Lakeview Independent School District, situated in Hale County, Texas; defining its metes and bounds; vesting it with rights, powers, duties and privileges of independent school districts incorporated for school purposes only un-



der the General Laws, etc.; and declaring an emergency."

H. B. No. 403, A bill to be entitled "An Act creating the Ingleside Independent School District, situated in Young County; defining its metes and bounds; vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only under the General Laws; providing for a board of trustees thereof, and declaring an emergency."

H. B. No. 445, A bill to be entitled "An Act to amend Section 1, House Bill No. 533, Chapter 47, of the Local and Special Laws passed at the Regular Session of the Thirtieth Legislature, entitled 'An Act creating the Eldorado Independent School District in Schleicher County, Texas, changing and defining its boundaries, and declaring an emergency.'"

H. B. No. 413, A bill to be entitled "An Act creating an independent school district to be known as the 'White Deer Independent School District,' and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and to pay current expenses for the maintenance and support of said schools, and providing that the present board of trustees of the Common School District No. 7 of Carson County shall have full control and management of said independent school district until next regular trustees' election; and providing a method for filling vacancies occurring in said board; providing for a board of equalization, and prescribing the duty and authority of said board of trustees; and repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 497, A bill to be entitled "An Act to amend Section 19 of the Special Road Law for Houston County, passed by the Regular Session of the Thirty-fifth Legislature, and approved March 8, 1917, so as to authorize the Commissioners' Court of said county to issue 'deficiency' and other warrants on the road and bridge fund of said county in certain cases for certain purposes, and to authorize said court to issue time warrants and any other evidence of debt against said fund for the payment, extension or liquidation of any debt now existing against such fund, and declaring an emergency."

S. B. No. 124, being a bill to be entitled "An Act to provide the method of selecting a special venire in counties other than those having the wheel system, for the selection of juries, by adding to the Revised Code of Criminal Procedure a new Article to be known as Article 660a, and declaring an emergency."

S. B. No. 87, A bill to be entitled "An Act to amend Sections 1, 2 and 4 or an Act to provide for the printing, publication and sale of the reports of the decisions of the Supreme Court, Court of Criminal Appeals and the Courts of Civil Appeals of the State of Texas, Chapter 30 of the Acts of the Thirty-third Legislature, approved March 20, 1913, and also to amend Article 1572 of Chapter 12, and to repeal Article 1651 of Chapter 13, of the Revised Civil Statutes, A. D. 1911, concerning said reports, with a repealing cause, and declaring an emergency."

H. C. R. No. 38, inviting General Buck to address the House today at 11 a. m.

H. B. No. 200, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include Archer, Hemphill, Roberts, Gray and Madison Counties, and declaring an emergency."

#### Senate Bill No. 257.

The Chair laid before the Senate on second reading:

S. B. No. 257, A bill to be entitled "An Act to amend Article 6504, Title 115, Chapter 8, Revised Civil Statutes of Texas, 1911, so as to provide that if any railroad corporation be unable to agree with the owner for the purchase of any real estate, or the material thereon, required for the purpose of its incorporation or

the transaction of its business, for its depots, station buildings, machine and repair shops, for the construction of reservoirs for the water supply, or for the right-of-way, or for a new right-of-way, for change or relocation of road bed to shorten the line, or any part thereof, or to reduce its grades, or any of them, which is hereby authorized and permitted, or for any lawful purpose connected with or necessary to the building, double-tracking, or for additional tracks, etc., and declaring an emergency. "

The bill was read second time and passed to engrossment.

On motion of Senator Carlock, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 257 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent.

Caldwell.	Williford.
McNealus.	

The bill was laid before the Senate, read third time and, on motion of Senator Carlock, was passed finally.

Senate Bill No. 174.

The Chair laid before the Senate on second reading:

S. B. No. 174, A bill to be entitled "An Act providing for the Live Stock Sanitary Commission to cooperate with the Bureau of Animal Industry, United States Department of Agriculture, for the eradication of tuberculosis among cattle within the State of Texas, and providing for the partial indemnification to the owner of cattle reacting to the Tuberculin Test; providing for the appraisalment

of cattle reacting to the Tuberculin Test, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Dudley, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 174 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	Page.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

Absent.

Caldwell.	Gibson.
Clark.	McNealus.
Floyd.	Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Dudley, was passed by the following vote:

Yeas—24.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Johnston.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Strickland.
Dudley.	Suiter.
Faust.	Westbrook.
Floyd.	Witt.

Present—Not Voting.

Buchanan of Bell.	Woods.
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Absent.

Caldwell.	McNealus.
Clark.	Williford.

Senate Bill No. 103.—House Amendments.

Senator Dean called up for consideration of House amendments to:

S. B. No. 103, A bill to be entitled "An Act for the purpose of promoting the public school interest of rural schools and those of small towns, of aiding the people and providing adequate school facilities for the education of their children by the appropriation of two million dollars each year, or so much thereof as may be necessary, for the next two fiscal years ending August 31, 1920, and August 31, 1921, respectively, and declaring an emergency."

The following House amendments were laid before the Senate and read:

Amend Senate Bill No. 103 by adding after the word "superintendent," line 11, on page 3, paragraph 4, Section 2, the following:

"It is expressly provided that in case of schools where compliance with the preceding conditions is impossible, or would work undue hardship, the State Superintendent shall have power, with the approval of the State Board of Education, to grant funds to such schools."

Amend Senate Bill No. 103, page 3, by adding at the end or line 33 the following: "Provided, all school districts meeting the requirements of this Act, and not having sufficient available school funds to maintain their schools six months in the year, shall be given the preference in the distribution of this fund, until all the public schools in the State can be maintained at least six months in the year."

Amend the caption of Senate Bill No. 103 by inserting in line 32, after the word "aid" the following: "giving preference to all school districts in which the available school funds together with the local district tax will not maintain the schools six months in the year."

On motion of Senator Dean the Senate concurred in the amendments.

#### House Bill No. 88.—Reconsidered.

By unanimous consent, Senator Faust moved to reconsider the vote by which H. B. No. 88 was passed.

The motion prevailed by unanimous vote.

The Chair laid before the Senate on second reading:

H. B. No. 88, A bill to be entitled "An Act to amend Article 2174,

Chapter 23, Title 37, of the Revised Civil Statutes of Texas relating to pleadings in suits against non residents, transients and persons whose place of residence is unknown by providing that the pleadings in such cases shall contain the ordinary requisites of pleadings required by law in cases of personal service, and declaring an emergency."

Senator Faust offered the following amendment which was read and adopted by unanimous vote:

Amend House Bill No. 88 by striking out the caption thereof, and by inserting in lieu thereof the following caption:

A bill to be entitled An Act to amend Article 2174, Chapter 23, Title 37, of the Revised Civil Statutes of Texas, relating to pleadings in suits against non-residents, transients and persons whose place of residence is unknown, by eliminating from the provisions of said article the words "as well as claim of the defendants, if known," so as not to require pleadings in such cases to set forth the claim of the defendant, and declaring an emergency.

The bill was laid before the Senate, read third time and, on motion of Senator Faust, was passed finally.

#### Senate Bill No. 52.

Senator McNealus called up and the Chair laid before the Senate on second reading:

S. B. No. 52, A bill to be entitled "An Act prohibiting the employment of children under fifteen (15) years of age in certain occupations, and under seventeen (17) years of age in certain other occupations, prescribing certain duties of employers of children, fixing the hours children can be employed, prohibiting employment of children under seventeen (17) years of age at night, providing for one day of rest for children each week, making it a misdemeanor for parents or others having control of children to make false statements of to misrepresent conditions with a view to securing employment for such child or children, limiting defenses of employers of children, providing for issuance of permits to children under certain conditions by County Judges, making the issuance of permits by County Judges in violation

of the requirements of the Act malfeasance in office, conferring authority on the Commissioner of the Bureau of Labor Statistics, his deputies and inspectors, providing for employment of children over twelve (12) years of age in certain employments between June 1 and September 1, defining certain words and phrases, repealing laws in conflict therewith, and declaring an emergency."

Senator Dudley offered the following amendment:

Amend S. B. No. 52 by striking out of line 30, page 1, the word "newspapers," and by striking out of line 31, page 1, the word "newspapers," and by adding to Section 1 after the word "imprisonment" in line 5, page 3, the following, "provided that nothing herein contained shall be held to prohibit the employment of such persons in the delivery or sale of newspapers when such employment does not interfere with the attendance of such persons upon schools."

The amendment was adopted.

Senator Dean offered the following.

Amend S. B. No. 52 by striking out all after the word "establishment," line 29, page 1, down to and including the word "service," line 30, page 1, and insert in lieu thereof "or messenger service in cities of more than 15,000 inhabitants according to the United States census of 1910."

Senator McNealus moved to table the amendment, and this motion was lost.

The amendment was then adopted by the following vote:

#### Yeas—18.

Alderdice.	Faust.
Bailey.	Floyd.
Bell.	Gibson.
Buchanan of Bell.	Hall.
Buchanan of Scurry.	Hertzberg.
Carlock.	Johnston.
Dean.	Page.
Dorough.	Smith.
Dudley.	Woods.

#### Nays—7.

Cousins.	Suiter.
McNealus.	Westbrook.
Parr.	Witt.
Strickland.	

#### Absent.

Caldwell.	Hopkins.
Clark.	Williford.
Dayton.	

The bill was read second time, and passed to engrossment.

On motion of Senator McNealus the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 52 put on its third reading and final passage by the following vote:

#### Yeas—26.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.

#### Absent.

Caldwell.	Hopkins.
Clark.	Williford.

The bill was laid before the Senate, read third time and, on motion of Senator McNealus, was passed by the following vote:

#### Yeas—23.

Alderdice.	Hertzberg.
Bailey.	Johnston.
Buchanan of Bell.	McNealus.
Buchanan of Scurry.	Page.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.
Hall.	

#### Absent.

Bell.	Gibson.
Caldwell.	Hopkins.
Clark.	Williford.
Dean.	

#### Return of House Bills.

Senator Dean made the following written motion:

I move that the Senate request the House to return to the Senate for correction House Bills Nos. 177, 178, 179 and 180.

DEAN.

The above was read and adopted.

#### Senate Bill No. 374.

The Chair laid before the Senate on second reading:

S. B. No. 374, A bill to be entitled "An Act to amend Senate Bill No. 24, passed at the Regular Session of the Thirty-sixth Legislature, so that it will provide the interest of mortgagee or trustee under deed of trust or other lien named in any fire insurance policy, insuring real property, shall not be invalidated by any act or neglect of the mortgagor or owner of the property insured by said policy or the happening of any condition beyond his contract and declaring void any stipulation in any fire insurance policy in conflict herewith, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time, and passed to engrossment.

On motion of Senator Dorrough the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 374 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Witt.
Faust.	Westbrook.
Floyd.	Woods.
Gibson.	

Absent.

Caldwell.	Williford.
Clark.	

The bill was laid before the Senate, read third time and, on motion of Senator Dorrough, was passed finally.

#### Senate Bill No. 53.

The Chair laid before the Senate on second reading:

S. B. No. 53, A bill to be entitled "An Act requiring the employment of citizens of the United States on public work, providing that any violation of the Act shall render all contracts with the State, county or municipality void, requiring all boards, officers, agents or employes of the State, county or municipalities having the power to enter into contracts for public work to file in the office of the Commissioner of Labor Statistics the names and addresses of all contractors holding contracts with the State, county or municipality to furnish the Commissioner of Labor Statistics with the names and addresses of all sub-contractors on public work, requiring all contractors to keep a list of all employes, stating whether they are natural-born or naturalized citizens of the United States, and providing that all such lists shall be open to the inspection of the Commissioner of Labor Statistics; providing penalties, and declaring an emergency."

Senator Dudley raised the point of order that a bill containing the same provisions had been defeated in the House.

The Chair overruled the point of order.

The bill was read second time, and failed to pass to engrossment.

#### Senate Bill No. 250.

The Chair laid before the Senate on second reading:

S. B. No. 250, A bill to be entitled "An Act to amend Subdivision 13 of Article 1830, Chapter 4, Title 37, of the Revised Civil Statutes of Texas of 1911, so as to provide that suits for the partition of lands or other property may be brought in the county where such lands or other property or part thereof may be, or in the county in which one or more of the defendants reside, and declaring an emergency."

The bill was read second time, and passed to engrossment.

On motion of Senator Bailey the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 250 put on its third reading and final passage by the following vote:

## Yeas—25.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

## Absent.

Caldwell.	Hopkins.
Clark.	Smith.

## Absent—Excused.

Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Bailey, was passed by the following vote:

## Yeas—25.

Alderdice.	Hall.
Bailey.	Hertzberg.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Caldwell.	Page.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

## Absent.

Bell.	Gibson.
Clark.	Hopkins.

## Absent—Excused.

Williford.

## Senate Bill No. 247.

The Chair laid before the Senate on second reading:

S. B. No. 247, A bill to be entitled "An Act to amend Article 1121, Chapter 2, Title 25, Revised Civil Statutes of the State of Texas, relating to private corporations, by adding thereto Section 80, providing for the creation of private corporations for the purpose of acting as regularly commissioned and licensed agents of fire and marine, marine, tornado, rent, accident, casualty, liability,

health, elevator, disability, plate glass, burglary, bonding, title, surety or fidelity insurance companies, and declaring an emergency."

Pending.

## Adjournment.

At 5:45 o'clock p. m. the Senate, on motion of Senator Buchanan of Scurry, adjourned until 10 o'clock tomorrow.

## APPENDIX.

## Petitions and Memorials.

Senator McNealus offered a letter from the various Commissioners of Dallas, asking support of House Bill No. 157.

Senator Bailey offered a petition from the Goliad Council of Defense, protesting against the teaching of the German language in this State.

Senator Clark offered a letter from Galveston, advocating the abolishment of Agricultural Department.

The Chair laid before the Senate an invitation to hear the Jubilee Concert and Lecture at Ebenezer Tabernacle, on Thursday evening, March 6, 1919, at 7:30 p. m.

## Engrossing Committee Reports.

Committee Room,

Austin, Texas, March 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 218 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, March 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 232 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,

Austin, Texas, March 5, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on En-

grossed Bills have had Senate Bill No. 181 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 365 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 316 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

Committee Room,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 312 carefully compared and find same to be correctly engrossed.

FAUST, Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Land and Land Office, to whom was referred

S. B. No. 375, A bill to be entitled "An Act to validate all sales of Public Free School Lands, made the third day of March, A. D. 1896, under the provisions of Chapter 48, of the Acts of the Twenty-fourth Legislature, etc.,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass.

BELL, Vice-Chairman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on In-

ternal Improvements to whom was referred

S. B. No. 381, A bill to be entitled "An Act to permit the Artesian Belt Railroad and the Receiver thereof to take up and remove its railroad construction, heretofore made from a connection with the Galveston, Harrisburg & San Antonio Railway Company, in the town of Macdona to the town of Kirk, a distance of approximately three and one-tenth miles, in a southeasterly direction, all in Bexar county; and to sell and dispose of same and abandon the same; and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Buchanan of Scurry, Chairman;  
Dorough, Floyd, Alderdice, Faust, Clark, Dayton

Committee Room,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

H. J. R. No. 12, being a resolution to be entitled "A House Joint Resolution amending Article V of the Constitution relating to the Judicial Department of the State Government, by adopting in lieu thereof the following joint resolution."

Have had the same under consideration, and recommend that it be returned to the Senate with recommendation that it be referred to the Committee on Civil Jurisprudence for their consideration.

BUCHANAN of Bell,  
Chairman.

Committee Room,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Mining and Irrigation, to whom was referred

S. B. No. 333, being a bill to be entitled "An Act to amend Section 56 of an Act constituting Chapter 44 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, providing for the creation of conservation and reclamation districts, so as to make certain that

the re-assessment of benefits permitted by said section shall not render insecure any indebtedness of any district availing itself of the benefits of such section, and declaring an emergency,"

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass and be not printed, but be printed in the Journal.

DUDLEY, Chairman.

By Alderdice, Mc- S. B. No. 333.  
Nealus, Strick-  
land, Dorough, Woods.

#### A BILL

#### To Be Entitled

An Act to amend Section 56 of an Act constituting Chapter 44 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, providing for the creation of conservation and reclamation districts, so as to make certain that the re-assessment of benefits permitted by said section shall not render insecure any indebtedness of any district availing itself of the benefits of such section, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas.

Section 1. That Section 56 of the above mentioned Act be and the same is hereby amended so as hereafter to read as follows:

Section 56. Whenever, at any time after three years from the completion of any plan of reclamation, the owners of twenty-five per cent or more of acreage of the lands within any levee improvement district shall file a petition with the board of supervisors of such district, alleging that previous assessments of benefits are inequitable and praying for a readjustment of benefits for the purpose of making a more equitable basis for the levy of taxes, the board of supervisors shall set a day for a hearing of said petition and cause notice of such hearing to be issued by the secretary of the board and to be posted in all respects as in case of an original hearing, and at the time and place set for the hearing the board of supervisors shall proceed to hear such petition and proof for or against the same, and if it finds that there has been a material change in the relative value of the benefits conferred on the property in the district, or that, for other

reasons, the last previous assessment of benefits is inequitable, it shall order that there be made a readjustment of the assessment of benefits for the purpose of providing a more equitable basis of taxation for all purposes within such district; and thereupon, it shall proceed to appoint commissioners of appraisement, as in the first instance, which commissioners shall proceed in all respects as in the first instance, and with all the powers, rights, privileges and duties, both to the commissioners and persons interested, and such commissioners shall finally make their findings and enter their judgment and decree in the matter, which thereafter shall be the basis of the assessment of taxes within and for the district; provided, that there shall be no re-assessment of benefits that will in any way render insecure any outstanding bonds or other indebtedness of any district availing itself of the benefits of this section, nor shall the sum of benefits as re-assessed ever be less in amount than the sum total of all outstanding bonds and other indebtedness of such district; and it shall be the duty of the taxing authorities of such district to annually levy and cause to be assessed and collected taxes based upon such re-assessment, at rates sufficient to provide funds requisite to pay interest upon all outstanding bonds and other indebtedness of such district and to pay off such bonds or other indebtedness at maturity.

Section 2. The facts that the attorneys representing bond buyers have expressed fears that under the above mentioned section as originally enacted there might be re-assessments of benefits that would render insecure outstanding bonds or other indebtedness of a levee improvement district, and that such expressed fears are retarding greatly needed conservation and reclamation projects in this State by rendering unsalable bonds of levee improvements created under the Act amended by this Act, create an emergency and an imperative public necessity for the immediate passage of this Act, and that it take effect and be in force from and after its passage. It is, therefore, further enacted that the constitutional rule requiring bills to be read on three several days be, and it hereby is, suspended, and that



this Act be in force from and after its passage.

Committee Room,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments to whom was referred Senate Joint Resolution No. 16, have had the same under consideration and I am instructed to report to the Senate that the same has been indefinitely postponed in Committee.

BUCHANAN of Bell, Chairman.

Committee Room,  
Austin, Texas, March 4, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs to whom was referred Senate Bill No. 282, have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, March 4, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs to whom was referred Senate Bill No. 383, have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, March 4, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs to whom was referred Senate Bill No. 384, have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, March 4, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs to whom was referred Senate Bill No. 370, have had the same under consideration and I am

directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, Feb. 27, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Educational Affairs to whom was referred House Bill No. 551, have had the same under consideration and I am directed to report it favorably with the recommendation that it do pass, and be not printed.

ALDERDICE, Chairman.

(Floor Report)

Senate Chamber,  
Austin, Texas, March 6, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Stock and Stock raising to whom was referred

S. B. No. 315, A bill to be entitled "An Act amending Section 2 and Section 19, of Chapter 60, of the Acts of the Thirty-fifth Legislature passed at its Regular Session, providing that the Live Stock Sanitary Commission shall as far as possible destroy and eradicate fever carrying ticks, contagious, infectious and communicable diseases of live stock, and shall establish special quarantine districts, where necessary, providing for notice of the establishment of such quarantine districts and to quarantine live stock therein or elsewhere, and to prescribe methods for dipping live stock and disinfecting the premises providing that the sheriffs and constables shall assist such live stock commission and its inspectors in enforcing the provisions of said Section, providing compensation for such sheriffs and constables; providing, that farmers and stock raisers having herds of less than one hundred cattle shall not be required to dip such cattle until they are first inspected and found to be infected with fever carrying ticks, contagious, infectious or communicable diseases and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed but be printed in the Journal.

Clark, Chairman; Parr, Bell, Buchanan of Scurry, Dorough, Bailey.

By Buchanan of Bell. S. B. No. 315.

A BILL

To be entitled

An Act amending Section 2 and Section 19 of Chapter 60 of the Acts of the 35th Legislature passed at its regular session, providing that the Live Stock Sanitary Commission shall as far as possible destroy and eradicate fever-carrying ticks, contagious, infectious and communicable diseases of live stock, and shall establish special quarantine districts, where necessary, providing for notice of the establishment of such quarantine districts and to quarantine live stock therein or elsewhere, and to prescribe methods for dipping live stock and disinfecting the premises providing that the sheriffs and constables shall assist such Live Stock Commission and its inspectors in enforcing the provisions of said section, providing compensation for such sheriffs and constables; providing, that farmers and stock raisers having herds of less than one hundred cattle shall not be required to dip such cattle until they are first inspected and found to be infected with fever-carrying ticks, contagious, infectious, or communicable diseases, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 2 of Chapter 60, Acts of the 35th Legislature passed at its regular session, be and the same is hereby amended so as to read as follows:

Sec. 2. Chapter 60, Acts 35th Legislature. It is further provided that the Live Stock Sanitary Commission shall have the power, and it is hereby made its duty, as far as possible, to destroy and eradicate the fever-carrying tick which produces splenic fever; also to eradicate and eliminate the scabies, sheep scab, anthrax, bovine-tuberculosis, hog cholera, glanders, and other malignant, infectious, contagious, or communicable diseases of live stock. For this purpose it is empowered and directed to establish special quarantine districts, where such diseases, or infection of such diseases are known to exist; and notice of the establishment of such special quarantine districts shall be given as provided for in Article 7314, Revised Civil Statutes, and in Section 1, of this Act. The Live Stock Sanitary Commission shall have the pow-

er to quarantine premises or pastures located in said special quarantine districts, and the domestic live stock therein situated in such quarantine district, or elsewhere, when to their knowledge such pastures or premises, or the live stock located thereon are infected with, or which have been exposed to a malignant, contagious, infectious or communicable disease, or the infection thereof; and no live stock shall be moved to or from such special quarantine district; nor from nor to any pastures or premises located in such special quarantine district, in a manner, method, or condition other than those prescribed by the Live Stock Sanitary Commission. It shall be the duty of the Live Stock Sanitary Commission to prescribe methods for dipping live stock or otherwise treating or disinfecting such premises or the live stock thereon; provided that the Live Stock Sanitary Commission nor any of its inspectors shall order or require a farmer or small stock raiser who has less than one hundred cattle in his herd to have such cattle dipped until such animals have been duly inspected and found to be infected with fever-carrying ticks, contagious, infectious, or communicable diseases of live stock; provided that it shall be the duty of the owner or owners of such cattle to gather them together at a convenient place for the purpose of having them inspected and shall lend all necessary aid and assistance to the inspectors in inspecting such cattle.

Sec. 2. That Section 19, Chapter 60, Acts of the 35th Legislature passed at its regular session, be and the same is hereby amended so as to read as follows:

Section 19, Chapter 60, Acts 35th Legislature. If any person, firm or corporation owning, controlling or caring for any domestic animal or animals within this State shall ship, drive, drift or permit to be shipped, driven or drifted any such domestic animal or animals of any quarantined territory quarantined under the authority of Section 9 of this Act, the Live Stock Sanitary Commission shall have the power to call upon the sheriff, deputy sheriff or constable of the county in which such live stock may be found, and it shall be the duty of said sheriff, deputy sheriff or any constable of any county in which such live stock may be found to seize said domestic

animal or animals and return them to the premises from which they have been so moved, or to hold said domestic animal or animals in his custody, subject to such instructions as he may receive from the Live Stock Sanitary Commission of Texas. If any person, firm or corporation owning, controlling or caring for any domestic animal or animals located in any territory quarantined by the provisions of this Act, or by order of the Live Stock Sanitary Commission of Texas, shall fail or refuse to dip or treat such domestic animal or animals in such manner and at such time as directed by the Live Stock Sanitary Commission, then the Live Stock Sanitary Commission, or the chairman thereof, or any inspector acting under the authority of said commission or chairman thereof, shall have the power to call upon the sheriff, deputy sheriff or any constable of any county in which such live stock are found, and it shall be the duty of said sheriff, deputy sheriff or constable, together with the said inspector, to seize and dip and otherwise treat such domestic animal or animals in a manner and at such times as the Sanitary Commission shall direct; provided, that the Live Stock Sanitary Commission nor any of its inspectors shall order or require a farmer or small stock raiser who has less than one hundred cattle in his herd to have such cattle dipped until such animals have been duly inspected and found to be infected with fever-carrying ticks, contagious, infectious or communicable diseases of live stock; provided that it shall be the duty of the owner or owners of such cattle to gather them together at a convenient place for the purpose of having them inspected and shall lend all necessary aid and assistance to the inspectors in inspecting such cattle. The sheriff, deputy sheriff or constable performing such service as above set out shall receive such compensation as is provided in Article 7320, Revised Civil Statutes, and similar compensation shall be paid for any person who may have to assist him in performing such services, and the said fees, with all costs of dipping and treating the said live stock, shall constitute a lien against such animal or animals and shall be collectable by civil suit.

Section 3. The fact that many farmers who only own a few head of

cattle are being caused considerable unnecessary inconvenience and expense in driving their cattle to where they can be dipped, when such cattle are not infected with fever-carrying ticks or other malignant, infectious, contagious or communicable diseases, creates an emergency and imperative public necessity which requires the constitutional rule providing that bills shall be read on three several days be suspended and said rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, March 5, 1919.  
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 6, A bill to be entitled "An Act granting to the city of Corpus Christi, Texas, all right, title and interest of the State of Texas as to certain land lying and being situated under the waters of Corpus Christi Bay and granting to said city of Corpus Christi the right, power and authority to locate, construct, own and maintain certain sea walls or break waters on said lands and to fill in the space between the main land land and said sea walls or break waters with sand, dredge spoils or other material and granting to the city of Corpus Christi the right to take from Corpus Christi Bay such sand, dredge spoil or other material as may be necessary or desirable for filling in said space; and authorizing said city of Corpus Christi to remove and abate any encroachment or structures existing on said property East of a line fixing the limit of riparian rights and to bring such suit or suits as may be necessary to carry out the provisions of this Act; and granting to said city of Corpus Christi the right to fix a shipping district, and to authorize, purchase, construct, own and maintain piers and wharves and to grant franchises therefor into the waters of Corpus Christi Bay beyond said sea walls or breakwaters upon vote of the people of the said city; also fixing the rights of riparian owners and granting the right of eminent domain and reserving all mineral rights to the State, requiring \$2.00 per acre to be paid for such

land and the depositing of said funds, fixing the time to begin construction and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, with committee amendments.

CALDWELL, Chairman.

Committee amendment No. 1, to House Bill No. 6:

Amend H. B. No. 6, by striking out all below the enacting clause, and insert in lieu thereof the following:

Section 1. All right, title and interest of the State of Texas to all the land hereinafter in this section described lying and being situated under the waters of the Corpus Christi Bay and within the corporate limits of the city of Corpus Christi, Texas, is hereby granted to the said city for public purposes only; said land so granted being described as follows: All land west of the line beginning at a point in the northern boundary line of the corporate limits of said city of Corpus Christi, Texas, one thousand feet (1,000) from the point of intersection of said northern boundary line with the present shore line of Corpus Christi Bay; thence in a southerly direction to a point in the southern boundary line of the corporate limits of said city one thousand feet (1,000) east from the point of intersection of the said southern boundary line with the present shore line of said bay.

Section 2. The city of Corpus Christi is hereby granted the right, power and authority to locate, construct, own and maintain within said territory hereby granted such sea walls or break waters as may be necessary or desirable into the waters of Corpus Christi Bay, and to fill in the space between the said main land and the sea walls or break waters of Corpus Christi Bay, having first secured a permit from the Federal Government therefor and all area formed by such construction and filling in is hereby declared to be the property of the city of Corpus Christi to be used by said city for public purposes only, and said city shall have the right, power and authority to construct such walks, drives, parks and buildings for public

purposes only on all such area as may be deemed suitable or desirable for such public purposes, and any such building or structure erected may be rented for purposes of public nature and all proceeds derived from such rental shall be paid into the general fund of the city; provided, however, that the city of Corpus Christi shall not have the right to take from Corpus Christi Bay any sand, dredge spoil or other material except such as may be necessary for the purpose of filling in between said sea walls or break waters and the main land, and provided that the City of Corpus Christi shall not place or permit the placing of any building other than for ornamental or civic purposes on said area, except within the shipping district as hereinafter defined.

Section 3. The city of Corpus Christi is hereby granted the right, power and authority to authorize, purchase, own, construct and maintain wharves and piers and slips and to grant franchises to any person, company or corporation, for the construction of wharves and piers beyond said wall or break waters and into the waters of Corpus Christi Bay beyond said sea wall, and within the territory herein granted, provided, however, the said city of Corpus Christi shall not grant any such franchise for any term of years until the question of making such grant shall first be submitted to a vote of the property tax payers of the city of Corpus Christi as shown by the tax rolls of said city, under the provisions in the charter of said city as it now exists or as same may be at any time hereafter amended. The election to vote upon such question to be held and the returns thereof made as provided for in said charter or amendment thereto and no wharves or piers or structures of any kind shall be constructed, by any one save the city of Corpus Christi within the territory hereby granted beyond said sea wall or break water into the waters of Corpus Christi Bay except under a franchise granted under the provisions hereof.

Section 4. Nothing in this Act shall be construed so as to prevent the State from at any time placing the construction of the wharves and piers, and the rates and charges thereon, under the supervision of the Railroad Commission of Texas.

Section 5. For the purpose of carrying out the provisions of this Act, the said City of Corpus Christi is hereby granted the right, power and authority to abate and remove any and all encroachments or structures of any kind now or hereafter existing on said property, and shall have the right to bring such suit or suits as may be necessary to carry out the provisions of this Act to the same extent and as fully and completely as the right to bring such suit or suits existed in the State or city prior to the passage hereof.

Section 6. Within six months after the passage of this Act, the City of Corpus Christi shall designate by ordinance a space of not less than twenty-one hundred lineal feet along said 1000-foot line fixed in Section 1 hereof, as a shipping district, and no commercial wharf or pier of any character shall be permitted or authorized by said city to be built in front of said 1000-foot line at any other point than in front of said twenty-one hundred foot space. Said shipping district shall be established so as to include the municipal wharf and at least 500 feet on either side thereof, and said ordinance shall provide for a uniform plan for building and completing such wharves.

Section 7. For the purpose of carrying out the provisions of this Act, the City of Corpus Christi shall have and exercise the right of eminent domain to be exercised in the manner now provided by law for railway companies.

Section 8. All mineral rights, including oil and gas, existing on said land, are hereby expressly reserved to the State of Texas.

Section 9. This grant to the City of Corpus Christi is upon the express condition that said city shall, within five years from and after the passage of this Act, begin the construction of said sea wall and shall within a period of ten years complete the same, and failure to do so shall forfeit the grant.

Section 10. Before the City of Corpus Christi shall begin the improvement herein contemplated, the Commissioner of the General Land Office shall fix a price per acre upon the area herein granted, and when the improvement herein contemplated shall have been completed a showing of that fact shall be made to the Commissioner of the General

Land Office, and the said City of Corpus Christi shall then pay to that officer for the benefit of the public free school fund of this State the total sum due upon such acreage, and upon such showing and payment the Commissioner of the General Land office shall issue a patent thereupon when furnished proper field notes by the County Surveyor of Nueces County, Texas.

Section 11. The right is hereby expressly reserved by the State of Texas and the United States Government to erect on the lands herein conveyed such wharves, piers and buildings for State or Government purposes as may hereafter be authorized by law.

Section 12. The fact that the great portion of the business part of the City of Corpus Christi and all of the shipping district is located on the edge of Corpus Christi Bay only a few feet above sea level and the fact that the waves are daily eroding the shore line of said bay and destroying valuable properties, and the fact that a great number of Texas people and a great number of people living at Corpus Christi and a great number of visitors from the State of Texas and other States are living in small houses on the bay front and located in such manner as to be wholly unprotected from the Gulf storms, and the fact that a great number of said houses and nearly all the boats in the shipping district of Corpus Christi were destroyed by the storm of August 18th, 1916, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Amendment No. 2, to H. B. No. 6.

Amend H B. No. 6, by striking out all above the enacting clause, and insert in lieu thereof the following:

A BILL  
To be entitled

An Act granting to the City of Corpus Christi, Texas, all right, title and interest of the State of Texas to certain land lying and being situated under the waters of Corpus Christi Bay, and granting to said City of Corpus Christi, Texas, the right, power and authority to locate, construct, own and main-

tain certain sea walls or breakwaters on said lands and to fill in the space between the mainland and said sea-wall or breakwaters with sand, dredge spoil or other material and granting to the City of Corpus Christi the right to take from Corpus Christi Bay such sand, dredge spoil or other material as may be necessary or desirable for filling in such space; and authorizing said City of Corpus Christi to remove and abate any encroachment or structures existing on said property and to bring such suit or suits as may be necessary to carry out the provisions of this Act; and granting to said City of Corpus Christi the right to fix the shipping district and to authorize, purchase, construct, own and maintain piers and wharves and to grant franchises therefor and to construct and maintain slips, into the waters of Corpus Christi Bay beyond said sea walls or break waters and within the territory herein granted, upon the vote of the tax-paying voters of said city, granting the right of eminent domain, and reserving all mineral rights to the State, providing for the appraisement of said land and the sum per acre to be paid for said land and the disposition of said funds, and the issuance of a patent therefor, fixing the time to begin construction and reserving to the State and the United States Government the right to erect wharves, piers and buildings on said land, and reserving the right to place all piers and wharves and the rates and charges thereon under the supervision of the Railroad Commission of the State, and declaring an emergency.

### THIRTY-NINTH DAY.

Senate Chamber,  
Austin, Texas, March 7, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Dayton.
Bailey.	Dean.
Bell.	Dorough.
Buchanan of Bell.	Dudley.
Buchanan of Scurry.	Faust.
Carlock.	Floyd.
Cousins.	Gibson.

Hall.	Parr.
Hertzberg.	Smith.
Hopkins.	Strickland.
Johnston.	Westbrook.
McNealus.	Witt.
Page.	Woods.

Absent.

Caldwell.	Williford.
Sulter.	

Absent—Excused.

Clark.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Faust.

Excused.

Senator Clark was excused for today and the remainder of the week on account of sickness, on motion of Senator Westbrook.

### Bills and Resolutions.

By Senator Dayton:

S. B. No. 390, A bill to be entitled "An Act creating Maribelle Independent School District in Grayson County, Texas, naming same; prescribing its metes and bounds; and providing for the election of trustees, raising revenue by taxation, issuing bonds and maintaining public free schools therein; and providing for assessing and collecting taxes therein; and vesting all real and other property used for school purposes in said district in said independent district; and declaring an emergency."

Read first time, and referred to Committee on Educational Affairs.

By Senator McNealus:

S. B. No. 391, A bill to be entitled "An Act creating a more efficient road system for Rockwall County, Texas; defining its boundaries, etc., and declaring an emergency."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senators McNealus and Smith:

S. B. No. 392, A bill to be entitled "An Act to amend Article 4737, Chapter 2, Title 71, of the Revised Civil Statutes of the State of Texas, relating to the reissuance of life insurance companies and providing for deposits of securities and additions